

**JUDGE BRYAN BIEDSCHEID  
FIRST JUDICIAL DISTRICT COURT  
DIVISION VI**

**Instructions for Case Scheduling Conference**

Judge Bryan Biedscheid has adopted a case management process, which includes an early case scheduling conference with the Court. The goal of the case management process is to put in place a schedule designed to achieve resolution of the case in as timely and inexpensive a manner as possible given the issues in the case. Most civil cases are resolved through settlement; therefore, one goal of the case management process is to schedule an early settlement conference, usually within four to six months of the date the answer is filed. Prior to the early settlement conference, discovery should be targeted toward those matters that are necessary to discuss early settlement of the case. If early settlement is not achieved, the case will proceed through additional discovery as necessary for trial.

In anticipation of the case scheduling conference, counsel are directed to meet and confer on the following issues:

**1. Ready for Trial Date**

In most cases, the court anticipates that cases will be ready for trial approximately ten to fourteen months after the answer is filed. Simpler cases may be ready earlier and complex cases may require additional time. In preparation for the Case Scheduling Conference, counsel must discuss a Ready for Trial Date. If counsel agree upon a Ready for Trial Date, the court will set the matter on the first trial docket after the Ready for Trial Date. If counsel do not agree on a Ready for Trial Date, the court will set the case for trial at the Scheduling Conference. **Because the trial date will be established either by agreement of counsel or after consideration by the court at the case scheduling conference, counsel should assume that the trial will not be continued.**

**2. Discovery Necessary for Early Settlement Conference**

Counsel should confer to determine what specific discovery is essential so that the parties can engage in good faith settlement discussions at the earliest possible date. Limited written discovery and targeted depositions are encouraged, focused on the issues necessary for good faith settlement discussions. If early settlement is not successful, the time remaining until the scheduled trial may be used for discovery for trial. Counsel should **not** expect that the trial date will be rescheduled if early settlement is not successful.

### **3. Early Settlement Conference Deadline**

In most cases, the court anticipates that a case should be ready for early settlement conference within four to six months after the answer is filed. Counsel will be required to file a report with the court on the outcome of the early settlement conference.

### **4. Alternative Dispute Resolution Process**

The Court will order some form of alternative dispute resolution process for early settlement conference. The Court reserves the right to order additional settlement conferences if deemed appropriate. Counsel may agree or request one of the following options for ADR:

- 1) Referral to the First Judicial District Court Alternative Dispute Resolution Program;
- 2) Agreement for referral to a specific settlement referee or mediator; or
- 3) Some other form of ADR to fully explore settlement prior to trial.

If counsel need more information on the First Judicial District program, you may contact ADR/Constituent Services Division, at 455-8145 or [sfedkaw@nmcourt.gov](mailto:sfedkaw@nmcourt.gov). Additional information and forms are also available on the Court's website at [firstdistrictcourt.com](http://firstdistrictcourt.com) under Court Programs.

Counsel must meet and confer on the matters listed above in advance of the Case Scheduling Conference. **At least five (5) business days prior to the Case Scheduling Conference, counsel must submit a [proposed] scheduling order to the Division 6 proposed text, following the format attached; or, alternatively file a Case Scheduling Status Report and forward a courtesy copy to the division 6 proposed text.** Counsel must file the Case Scheduling Status Report, if agreement is not reached as to some matters, and send a copy of the report to the Division 6 proposed text email. Counsel may modify the Case Scheduling Status Report if there are other matters to be addressed at the conference.

**IF COUNSEL REACH AGREEMENT AS TO ALL MATTERS ON THE CASE SCHEDULING STATUS REPORT THEY MAY SUBMIT A [PROPOSED] SCHEDULING ORDER, IN LIEU OF THE CASE STATUS REPORT, AND SUBMIT THE [PROPOSED] ORDER TO JUDGE BIEDSCHEID AT THE DIVISION 6 PROPOSED EMAIL ([SFEDDIV6PROPOSEDTXT@NMCOURTS.GOV](mailto:SFEDDIV6PROPOSEDTXT@NMCOURTS.GOV)), AT LEAST FIVE DAYS PRIOR TO THE CASE SCHEDULING CONFERENCE, AND THE COURT VACATE THE SCHEDULING CONFERENCE AND ISSUE A SCHEDULING ORDER CONSISTENT WITH THE DATES AGREED TO BY THE PARTIES.**

If counsel disagree as to any matters in the scheduling order or case scheduling status report, the Scheduling Conference will proceed as scheduled. During the Covid pandemic all hearings will be held via Google Meet. The Court prefers counsel appear by video, but if they are unable to do so, then they may appear by phone. Please follow the instructions listed below for all appearances unless instructed otherwise.

Remote Access All hearings are conducted by Google Meet. The court prefers counsel and parties to participate by video at <https://meet.google.com/hdc-wqjx-wes>. If it is not possible to participate by video, you may participate by calling (US) +1 954-507-7909 PIN: 916 854 445#.

